

A RESOLUTION URGING THE UNITED STATES CONGRESS TO REJECT S. 659 AND H.R. 1036, LEGISLATION, WHICH SEEKS TO GRANT THE FIREARM INDUSTRY SPECIAL PROTECTIONS AGAINST LEGAL ACTION.

- Whereas: Nearly 30,000 Americans in this country die each year from gun violence; and
- Whereas: More than half of Detroit's homicides, many being youth homicides, are committed by firearms; and
- Whereas: Gun manufacturers and sellers are already exempt from federal consumer product safety regulation and the only other product that enjoys such an exemption is tobacco; and
- Whereas: The State of California in 2002, recognized that an immunized gun industry lacks the motivation to avoid negligent or reckless behavior and creates grave dangers to the general public, repealed its 20-year old gun industry immunity statute, restoring the rights of victims of gun industry negligence to seek redress in court;
- Whereas: The U.S. Congress has proposed legislation, S. 659 and H.R. 1036, which would take away the rights of gun victims by prohibiting qualified civil liability actions from being brought by the Federal Government, states, municipalities, and private interest groups and individuals in any Federal or State court; and
- Whereas: The proposed federal legislation would deny the legal rights of current and future gun violence victims seeking to hold the gun industry accountable for irresponsible manufacturing and selling practices by giving an unprecedented special immunity from lawsuits to gun sellers; and
- Whereas: Such legislation puts American law enforcement officers and the general public in danger by reckless gun sales practices as exemplified by the 2,938 firearms confiscated by the Detroit Police from streets in the first six (6) months of 2002, of which seventy-five percent (75%) were pistols and revolvers ; and
- Whereas: The City of Detroit and County of Wayne filed a lawsuit along with 29 other cities and counties against some manufacturers as their firearms are used in crimes so frequently that their sales strategies amount to a public nuisance and a violation of the public's safety and peace; and
- Whereas: In the City of Detroit and County of Wayne, firearm dealers were videotaped by law enforcement officials selling firearms to felons through straw sales; and
- Whereas: The NAACP's pending case against the gun industry alleging that negligent marketing practices by gun manufacturers and distributors fuel street violence that victimizes minorities and that gun makers knowingly sell their products to corrupt dealers who supply criminals, would be made invalid by the proposed legislation; Now, Therefore Be It
- Resolved: That the Detroit City Council urges the United States Congress to reject S. 659 and H.R. 1036, legislation which seeks to grant the gun industry special protections against legal action, and Be It Further
- Resolved: That the Detroit City Council directs the City Clerk to immediately send copies of this adopted resolution to President George W. Bush, the United States Senate and House Leadership, Chair of the House Judiciary Committee (Rep. James Sensenbrenner-WI), Chair of the Senate Judiciary Committee (Sen. Orrin Hatch-UT), the entire Detroit Congressional Delegation and the Congressional Black Caucus.

Placed on the table April 16, 2003 by Council Member Sharon McPhail.

